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VIA FEDERAL EXPRESS

May 14, 2002

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, Second Floor
Boston, MA 02110

Re: D.T.E. 02-8 - Investigation into Verizon's Collocation Security Policies

Dear Secretary Cottrell:

Enclosed for filing with the Department in the above-entitled matter are an original and four copies of the Rebuttal Testimony of Edward B. Fox on behalf of Sprint. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Craig D. Dingwall". The signature is written in a cursive, flowing style.

Craig D. Dingwall

cc: Joan Evans, Esquire, Hearing Offer
Michael Isenberg, Director- Telecommunications Division
Attached D.T.E. 02-8 Service List

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

**Investigation by the Department on its own motion,
Pursuant to G.L. c.159 §§ 12 and 16, into the collocation
Security policies of Verizon New England Inc. d/b/a
Verizon Massachusetts**

D.T.E. 02-8

REBUTTAL TESTIMONY

OF

EDWARD B. FOX

ON BEHALF OF SPRINT COMMUNICATIONS COMPANY L.P.

MAY 15, 2002

1 **Q. Please state your name and business address.**

2 A. My name is Edward B. Fox. I am Senior Manager – Regulatory Policy, for Sprint
3 Corporation. My business address is 6450 Sprint Parkway, Overland Park, Kansas
4 66251.

6 **Q. Please describe your educational background and work experience.**

7 A. I received a Masters of Business Administration from Ashland University in 1989 and
8 a Bachelor of Science degree in History from Taylor University in 1972. I am
9 currently employed as Senior Manager – Regulatory Policy for Sprint Corporation. I
10 am responsible for developing state and federal regulatory policy and legislative
11 policy for Sprint Corporation for collocation. I am responsible for coordinating this
12 policy across the multiple business units of Sprint, including its Incumbent Local
13 Exchange Company (ILEC), Wireless, and Long Distance operations that include
14 Sprint's Competitive Local Exchange Carrier (CLEC) operation. I have been in this
15 position since January 2001. I previously served as the Network Policy Manger for
16 Sprint's ILEC operations for four years. Between 1977 and 1996 I held positions in
17 sales, marketing, competitive analysis, and product management within Sprint's local
18 telecommunications division.

19

20 **PURPOSE OF TESTIMONY.**

21 **Q. What is the purpose of this testimony?**

22 A. In this rebuttal testimony, Sprint addresses issues raised by the Department's *Order to*
23 *Investigate* issued January 24, 2002, and address issues and points raised by Verizon

1 Massachusetts ("Verizon") in its panel testimony dated April 5, 2002. The goal of the
2 Department's Order "is to review Verizon's security procedures and measures that
3 apply to personnel of competing carriers in accessing their collocation sites in
4 Verizon's central offices and other facilities, and to determine which, if any, policies
5 should be strengthened to safeguard telecommunications networks from human
6 tampering and to ensure reliable telecommunications service in Massachusetts."¹
7 The investigation's issues include (1) the extent and nature of appropriate access by
8 personnel of other carriers to Verizon's central offices facilities for accessing
9 collocation sites; (2) whether cageless collocation arrangements remain an acceptable
10 security risk; (3) the adequacy of security measures implemented in Verizon's central
11 offices and other facilities, focusing on preventive, rather than "after-the-fact,"
12 measures; and (4) any other related security issues.² Sprint's testimony addresses
13 these issues and Verizon's Panel Testimony filed in this proceeding.

14
15 **Q. Is Sprint qualified to speak to both CLEC and ILEC interests?**

16 A. Yes. Sprint approaches the local competition issues raised in this proceeding from the
17 standpoint of a corporation whose operating subsidiaries are on both sides of these
18 issues. Sprint's long-distance subsidiary ("Sprint LD") is in the process of
19 implementing competitive local services, including broadband DSL products that
20 Sprint offers in Massachusetts. Nationally, Sprint LD expects to be collocated in close
21 to 800 ILEC central offices by the end of this year. In Massachusetts, Sprint is

¹ D.T.E 02-8, Vote and Order to Open Investigation, rel. January 24, 2002 ("Order"), at 1.

1 collocated in fifteen ILEC central offices. Sprint also owns a group of incumbent
2 local telephone companies ("Sprint ILEC") that now comprise the fifth largest ILEC
3 in the nation; these companies are, of course, subject to the rules adopted at both the
4 state and national levels. Sprint is interested in a set of rules that will facilitate
5 CLEC³ entry on economically viable terms and in a fashion that minimizes the ability
6 of other ILECs to artificially increase the costs of entry and to delay the entry process.
7 At the same time, Sprint is fully cognizant of the need to implement the local
8 competition provisions of the 1996 Act in a way that is faithful to the limits of the
9 statute and is fair to the legitimate interests of the ILECs. As a result, Sprint's
10 positions in this testimony reflect its own internal efforts to weigh the needs of
11 CLECs against the legitimate concerns of ILECs in a fashion that reasonably
12 accommodates both sets of interests. This testimony is the product of the same
13 process of weighing CLEC and ILEC interests that the Commission will itself have to
14 undertake in reaching its own resolution of these issues surrounding network security.

15
16 **Q: Do ILECs have legitimate security concerns from access to their Central Offices**
17 **by personnel of other carriers?**

18 A: Yes. As stated above, Sprint operates as an ILEC in 18 states serving over 7 million
19 access lines and also has hundreds of collocators in its central offices. Sprint can
20 identify with the situations described by Verizon of entry of unauthorized people,

² Order at 7.

³ Although any requesting carrier is entitled to collocate under Section 251(c)(6), for convenience, "requesting carriers" will often be referred to herein as "CLECs".

1 access to unauthorized space, missing equipment, intentional and inadvertent damage
2 to both CLEC and ILEC equipment, and assignment of space. In fact, Sprint LD as a
3 collocator, has even experienced theft of some of its own expensive network
4 equipment. The incident occurred within the last three years in Verizon's Revere
5 office in the middle of the day as some of the Verizon employees watched as the
6 thieves walked out the door with a router approximately two feet in length, fifteen
7 inches in depth and two inches tall. For Sprint to say that ILECs, including Verizon,
8 do not have security issues would be less than truthful as a carrier that is both a
9 collocation user and provider.

10
11 **Q: Does Sprint believe that Verizon's proposed solution in its Panel Testimony is**
12 **sufficient to allay Verizon's concerns that they may have inadequate security?**

13 A. No. The entire focus of the investigation is too short sighted and beneficial only to
14 Verizon in Massachusetts. Verizon's view of a security solution is exceedingly
15 myopic and is characterized by preservation of its own interests entirely with no
16 explicit or implicit reference to the interdependency of all carriers. There was
17 virtually no consideration given to the security needs of the CLECs, any mention of
18 how this fits into network security initiatives at the national level, nor any
19 consideration given to the realities of the marketplace and the business needs of the
20 collocators. In pursuit of addressing a legitimate issue, Verizon's entire focus was on
21 how they may make their equipment more secure. Verizon's focus has the affect of
22 driving up the cost and increasing the difficulty of doing business for competing
23 carriers located in their buildings. Sprint does not believe that Verizon's view of a

1 solution is in concert with Congress's intent of the Telecom Act and is in direct
2 conflict with the FCC's pro-competitive, pro-consumer rule making.

3
4 **Q: Does Sprint believe that the Department and the interested carriers within**
5 **Massachusetts should be addressing network security in this forum?**

6 A. No, not in its present form. Verizon in its Panel Testimony, Attachment 2, cites FCC
7 Chairman Michael Powell's comments from an October 2001 press conference. In
8 his comments, Chairman Powell outlined the five specific areas that will guide the
9 FCC's agenda, one of which is Homeland Security. Mr. Powell clearly articulates
10 the goal that "the communications community come together to determine our role in
11 ensuring homeland security." And "[w]e will work with industry to ensure the
12 reliability and security of our nation's communications infrastructure." In these
13 comments, he sees this as the closest of interdependence between carriers in this issue
14 of security. Mr. Powell goes on to say that NRIC will provide leadership and that he
15 will be "work[ing] with other agencies to ensure network protection, reliability and
16 redundancy." Verizon appears to ignore Mr. Powell's spirit of community and
17 interdependence in its recommendation by seemingly focusing only on what's in it for
18 Verizon. This proceeding can only exacerbate the adversarial tone. These issues are
19 best accomplished as national policy or through an industry task force, not through
20 litigation in each of the 50 states.

1 **ACCESS TO ILEC CENTRAL OFFICES BY OTHER CARRIERS**

2
3 **Q: Are Verizon's proposed security solutions applicable only to CLECs or to other**
4 **carriers that collocate in an ILEC central office?**

5 A. In Verizon's panel testimony, there were approximately 100 direct references to
6 CLECs when referring to carriers who needed to be migrated or accept virtual only
7 collocation, all at their own expense. The CLEC community, which ironically in the
8 majority of scenarios, is totally dependent upon its greatest competitor for its only
9 source of telecommunications services. This group of carriers seems to have been
10 singled out as the only Verizon outside security problem. No mention is made of the
11 other types of carriers who are allowed to have physical collocation under Expanded
12 Interconnection (EIC) Rules⁴ and permitted in Verizon's FCC Tariff No. 11⁵. Nor
13 was any mention made of carriers who may have non-regulated floor space lease
14 agreements, such as ISPs. Sprint has no knowledge that any of these types of
15 collocation arrangements exist with Verizon Massachusetts, and perhaps none do, but
16 in the event there are, does Verizon plan on including other carriers in their migration
17 plan?

18
19
20

⁴ Under expanded interconnection, end users, interexchange carriers, and competitive access providers may collocate for the purpose of accessing switched and special access traffic.

⁵ FCC Tariff No. 11, Original Page 28-1; ¶28. "Expanded Interconnection is available to customers in either physical or virtual interconnection arrangements."

1 **Q: Is virtual collocation be a viable option for Sprint?**

2 A. No. Virtual collocation is risky and may result in very unsatisfactory customer service
3 levels. Once again, with forced virtual collocation, collocators are forced to be totally
4 reliant on their largest competitor for telecommunications facilities and installation
5 and service, performance reporting notwithstanding. Referencing a discovery
6 document,⁶ Verizon states that there are 781 total collocation arrangements with only
7 five being virtual collocations. The remaining 776 collocations are physical. This
8 figure shows that the industry does not want virtual collocation as long as physical
9 collocation is available. Sprint's business requirements assume caged collocation
10 (e.g., SCOPE) and as a distant second choice, cageless. Virtual may be considered as
11 an option only where physical collocation is unavailable, but in those instances, only
12 as a temporary arrangement.

13

14 **Q: Will curtailing physical collocation in "critical COs" adequately address access**
15 **to ILECs' offices?**

16 A: No. No criteria have been established to determine what qualifies as a "critical" CO,
17 and Verizon has not projected which COs are critical.⁷ Congress and the FCC
18 contemplate full and rigorous competition in as many markets as possible as an
19 outcome of the Telecom Act. The "handful" of critical offices are the ones that serve
20 the best markets based upon the criteria listed in the Panel Testimony (p. 39-40) (e.g.
21 critical customers, access line quantity, special services). By restricting Sprint and

⁶ Verizon response to Conversant 1-1a (Tab 1).

⁷ Verizon response to Sprint 1-23 (Tab 1).

1 other carriers to virtual collocation only in these offices, this further removes Sprint
2 and other carriers from providing optimal service and maintaining closer contact
3 through direct maintenance of our equipment. This idea has little to do with security
4 and everything to do with anti-competitive positioning on the part of Verizon.
5

6 **Q. What have you concluded after reviewing Verizon's collocation security**
7 **incidents?**

8 A. I reviewed the documents referred to in Verizon's response to discovery (AG-VZ 1-
9 1).⁸ Based upon my review of these documents, at least 80% of the security
10 violations will not be cured if Verizon were to implement its security measures. 40%
11 of the total incidents involved break-ins, thefts, violations and service interruptions
12 and harm to CLECs, not Verizon. Only 19% of the security violations have anything
13 to do with CLECs having access to the ILEC central office (*e.g.*, 7% of incidents
14 were CLECs wandering/rummaging in Verizon areas, and 12% of incidents were
15 CLECs working on or with Verizon equipment).⁹ Most of these incidents are not
16 network threatening.
17
18
19
20

⁸ See Tabs 1 and 2.

⁹ These incidents include: CLEC replacing blown Verizon fuse, working on Verizon equipment (no additional details found), CLEC tapping into

1 **CAGELESS COLLOCATION AS A SECURITY RISK**

2
3 **Q. Is cageless collocation an acceptable security risk?**

4 A. Yes. If cageless collocation were not an acceptable security risk, the FCC's rules
5 would not expressly require it. The FCC's rules provide in relevant part that
6 "[i]ncumbent LECs must allow competitors to collocate without requiring the
7 construction of a cage or similar structure. . . . An incumbent LEC must make
8 cageless collocation space available in single-bay increments"¹⁰ Moreover, the
9 FCC's homeland security initiatives together with adequate enforcement of existing,
10 authorized collocation security measures should further help address any post
11 September 11 security concerns.

12
13 **Q: Does Verizon's security remedy fit the need?**

14 A. No. In the Panel Testimony pp. 21-22, Verizon states that it has not experienced
15 serious security violations in Massachusetts to warrant the adoption of more stringent
16 measures. Nor has Verizon assessed or quantified the "potential network harm"
17 noted in Verizon's testimony at page 4.¹¹ Verizon's anti-competitive suggestions are a
18 far cry from a reasonable pro-active security approach, especially within a jurisdiction
19 such as Massachusetts where no serious security violation has occurred. Verizon's
20 position is totally inconsistent with the FCC's rules and Verizon's tariffs. For

phone lines, use of Verizon test equipment, and CLEC removal (and return) of Verizon ground bar.

¹⁰ 47 C.F.R. § 51.323(k)(2).

¹¹ See Verizon's response to Sprint-VZ 1-4 (Tab 1).

1 example, Verizon's proposal to secure and segregate collocation facilities noted at
2 page 16 of the Panel Testimony is inconsistent with the FCC's collocation rules,
3 which allow for shared collocation cages, cageless collocation and adjacent space
4 collocation.¹²

5
6 **Q: Does Verizon have the ability to control most all of the situations that they claim**
7 **that are insurmountable?**

8 A: Yes. Verizon states in its Panel Testimony at pp. 30-32 that "Commingling of
9 Verizon's and CLEC's equipment in the same unpartitioned equipment area presents
10 insurmountable security problems." An example given by Verizon seems to
11 characterize all CLEC employees or vendors as recalcitrants who have no regard for
12 ILEC property because they are untouchable by the same disciplinary authority
13 Verizon has over its own employees. Verizon suggests that although they could
14 restrict a specific CLEC employee from the office, they again are helplessly
15 victimized by the same restricted employee who later returns using someone else's
16 card or tailgates another entering employee.

17
18 Verizon continues by describing a potentially menacing equipment commingling
19 situation that exists because the "equipment deployed by the CLECs looks the same
20 as Verizon's equipment, which increases the likelihood that CLEC personnel may
21 inadvertently work on the wrong shelf - and directly or indirectly cause a service
22 outage." Verizon's solution is to either segment that equipment or declare that virtual

¹² 47 C.F.R. §§ 51.323(k)(1)-(3).

1 collocation to be the answer. If Verizon adequately enforced its collocation policies
2 in the first place, these situations could be managed properly. First, Verizon's CCOE
3 Tariff, DTE MA No. 17 ¶9.3.5 C. states: "The CLEC is responsible for the
4 identification of all equipment in its CCOE arrangement. All equipment must be
5 clearly identified with the CLEC's name, emergency reach number, CLLI code and
6 relay rack number. The CLLI code and relay rack number will be assigned by the
7 Telephone Company." If there is confusion about identical looking equipment, the
8 CLEC will have the equipment markers for guides as to where they should work.
9 Second, p. 17 of the Panel Testimony lists a number of security methods that are
10 currently used in Massachusetts collocated sites. One of these methods is the
11 "directional signage and floor markings (*e.g.* floor tape)," which would also help
12 eliminate any equipment confusion.

13
14 **Q: Are CLEC contractors unqualified?**

15 A: No. Verizon has high technical standards for those contractors who work in their
16 central offices.¹³ Verizon's CCOE tariff (DTE MA No. 17) at 9.3.3. C states: "The
17 CLEC must perform all work using Telephone Company approved vendors. Such
18 vendors must comply with the requirements specified in IP 72201, Network
19 Equipment Installation Standards including providing the Telephone Company with
20 documentation (*e.g.*, drawings and record updates) per the Telephone Company
21 standards prior to service activation." In response to a data request,¹⁴ Verizon stated

¹³ Verizon response to Qwest 1-36 and Tab, and Verizon response to Qwest 1-37 (Tab 1).

¹⁴ Verizon response to Qwest 1-38 (Tab 1).

1 that it does not "approve or certify" vendors. So as not to spend time quibbling about
2 semantics, Sprint uses this term since Verizon also frequently uses it.¹⁵ The point
3 being made is that any CLEC vendors doing work in the common areas must meet
4 certification standards defined by Verizon. Verizon requires any company desiring to
5 become certified must pay for an application and prepare an extensive quality manual
6 that explains how the company works in central offices and how they train
7 employees. Vendors must also pay a third party company to review and, if necessary,
8 aid in preparing the quality manual. Vendors must then still be reviewed on actual
9 work prior to becoming certified by Verizon. If any certified vendor accidentally or
10 otherwise causes problems in the central office, it could lose its certification. In
11 cageless scenarios, the CLEC should only be touching its own equipment and should
12 not be touching even the interface between Verizon and the CLEC.

13
14 **Q: Does Verizon's deployment of its CCTV resource reflect its concern that cageless**
15 **collocation is an unacceptable risk?**

16 A: No. Verizon states in its Panel Testimony at p. 17, that it deploys Closed Circuit
17 Television ("CCTV") in COs with unsecured CCOE arrangements or where access to
18 shared facilities is only available by means of unsecured open passage through
19 Verizon's equipment areas. Documentation supplied by Verizon¹⁶ lists 13 offices
20 with CCTV arrangements. When comparing these locations to the list of offices with

¹⁵ "Verizon approved vendors" Panel Testimony at 11; "Telephone Company Approved Vendors" Tariff No. 17 at 9.3.3.C. and 2.2.2.Q.

¹⁶ Verizon response to Conversent 1.1b (Tab 1).

1 collocations,¹⁷ only six of these offices have collocators totaling 11 collocators with
2 11 collocation arrangements in these six offices. According to the above citation,
3 only two offices have CCOE secured collocations, *i.e.* Hopkinton¹⁸ and Pittsfield.
4 Verizon also contradicts itself and claims in another source that Hopkinton is the only
5 CCOE arrangement in Massachusetts that is located in unsecured space and cannot be
6 relocated due to lack of separate and secure space in the CO.¹⁹ Conflicting details
7 notwithstanding, Verizon is complaining about acceptable security risks of cageless
8 arrangements while they've deployed CCTV systems in building with no collocators,
9 and where they are currently deployed, they only monitor an average of 1.8
10 collocation arrangements per central office, and claim that they have difficulty in
11 keeping pace with security issues. This comparatively lightweight security burden
12 does not seem to be worthy of a proceeding of this magnitude. If Verizon were to re-
13 deploy the CCTV systems into their 13 most populous collocated offices, they
14 would be able to monitor approximately 40% of the total collocation arrangements
15 instead of 1.4% of the arrangements being monitored with CCTV today.

16
17
18 **Q: Does Verizon charge a monthly security fee for CCOE collocations?**

19 **A:** Yes. DTE MA No. 17, ¶5.9.11 allows Verizon to charge a monthly Cageless Security
20 charge of \$196.34 for a 15 square foot equipped bay. CCOE is the only type of

¹⁷ Verizon response to Conversent 1 1a, and Verizon response to Allegiance-VZ1-1 (Tab 1).

¹⁸ Hopkinton (HPTNMAHR) was referred to as HOPKINGTON in Verizon's response to Conversent 1-1a and to HOPKINTON in Verizon's response Conversent 1-1b and in Verizon's response Allegiance 1-9 (Tab 1).

¹⁹ Allegiance 1-9.

1 physical collocation that requires a security charge. If a CLEC has a small four bay
2 arrangement, it will pay over \$9,400 a year for security. It is unclear what the value
3 is to the CLEC for this money since Verizon has deemed cageless collocation to be an
4 unacceptable security risk. This is the arrangement for which Verizon receives direct
5 payment and has the most problems in managing this part of their collocation
6 security. And, after receiving this money year after year, Verizon has the audacity to
7 suggest that relocation of CLECs to secure areas must be at the CLECs' expense. In
8 comparison to this astronomically high rate for security, Sprint's ILEC division
9 charges approximately \$115 a year for security costs consisting primarily of
10 electronic locking and surveillance camera systems.

11
12 **PREVENTATIVE SECURITY MEASURES**

13
14 **Q: Will moving CLECs to secured areas be a satisfactory preventative security**
15 **measure to protect the telecommunications network infrastructure in**
16 **Massachusetts?**

17 **A.** No. As stated in the introductory comments at p. 5, the focus of this investigation and
18 Verizon's recommendation are woefully deficient in needing to address the larger
19 overall interdependency of the networks and the common interest of protection from
20 harm. However, the objective of this proceeding is focused only on the well-being of
21 Verizon's network in Massachusetts through protecting it from harm from its
22 competitors. If Verizon were implemented everything it proposed, its network would

1 be only marginally more secure than it is today and every bit as vulnerable to
2 significant network tampering as it was before.

3
4 Verizon's flawed security solutions contain serious business and regulatory issues,
5 including significant costs being forced upon the CLEC with no measurable benefit,
6 anti-competitive positioning by Verizon, forced relocation with the possibility of
7 service interruptions to CLEC customers, relinquishing of control of collocation
8 facilities, restriction of physical collocation from critical offices, discouraging
9 physical collocation in favor of virtual, to name a few.

10
11 **Q. May Verizon impose security arrangements on CLECs that are more stringent**
12 **than those that it imposes upon its own employees or contractors?**

13 A. No. The FCC's rules are clear. "An incumbent LEC may only impose security
14 arrangements that are as stringent as the security arrangements that the incumbent
15 LEC maintains at its own premises for its own employees or authorized
16 contractors."²⁰ Verizon may not impose more stringent security arrangements on
17 Sprint or any other CLEC than it imposes upon its own employees or contractors.
18 Verizon's proposed collocation security plan appears to apply only to CLECs, not
19 Verizon's employees or contractors. Accordingly, it is inconsistent with the FCC's
20 rules.

21

²⁰ 47 C.F.R. § 51.323(h)(2)(i).

1 **Q. Does Verizon have the authority to control the space allocation within its central**
2 **offices?**

3 A: Yes. Although Verizon has not been granted unilateral and un rebuttable decision-
4 making power regarding CLEC equipment placement, ILECs do have the final word
5 on where they assign collocators. Verizon in its Panel Testimony at page 34,
6 celebrates its expanded "rights to separate and segregate physically collocated
7 equipment within its premises" as granted by the recent *FCC Remand Order*.²¹ In
8 addition, the *FCC Remand Order* allows ILECs to assign collocation space with
9 separate entrances. In both cases, there are some reasonable restrictions to be
10 followed. For example, the ILEC may not materially increase CLECs' costs or
11 delays, or impair the quality of service or impose other limitations on the service a
12 requesting carrier wishes to offer, and must not reduce unreasonably the total space
13 available for physical collocation or preclude unreasonably physical collocation
14 within the incumbent's premises.²² These conditions are spelled out in detail in
15 Verizon's Collocation tariffs, D.T.E. MA No. 17, ¶2.1.1.F.(1-4) and G.(1-5); and
16 ¶2.2.5.(C)(1-2). For CCOE arrangements, ¶9.2.D. states, "The Telephone Company
17 will designate the floor space location specific for each bay of equipment installed."

²¹ See *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report and Order, CC Docket No. 98-147, FCC 01-204 (rel. Aug. 8, 2001) ("*FCC Remand Order*").

²² 47 C.F.R. §51.323(i) (4) and 47 C.F.R. §51.323(i) (6).

1 **Q: May ILECs unilaterally require collocators to relocate once an arrangement is**
2 **operational?**

3 A: No, not beyond the terms and conditions outlined in the applicable Tariff or
4 Interconnection/Collocation agreement. The FCC is explicit on this topic by not
5 requiring adjacent collocators to move when space becomes available.²³
6 Accordingly, unless the parties mutually agree, Verizon has no authority under
7 today's regulatory environment to force a collocator to move.

8
9 **Q. Are Verizon's proposed preventative measures equitable in cost vs. benefit to the**
10 **CLECs?**

11 A: No. Verizon is looking for a blank check from each collocator to fund its self-serving
12 plan. Verizon has conducted no cost studies for its recommended security plan.²⁴
13 Verizon has not done any studies regarding thumb print scanner costs.²⁵ If
14 implemented, Verizon's proposed security measures could cost each affected CLEC
15 hundreds of thousands of dollars or more. Verizon, not CLECs, is the cost-causer of
16 the costs to implement its unreasonable security measures that solely benefit Verizon
17 at CLECs' expense, with no defined costs or expense limits.

18

²³ 47 C.F.R. §51.323(k) (3). If physical collocation space becomes available in a previously exhausted incumbent LEC structure, the incumbent LEC must not require a carrier to move, or prohibit a competitive LEC from moving, a collocation arrangement into that structure. Instead, the incumbent LEC must continue to allow the carrier to collocate in any adjacent controlled environmental vault, controlled environmental vault, or similar structure that the carrier has constructed or otherwise procured.

²⁴ Verizon response to Sprint-Verizon 1-28 (Tab 1).

²⁵ Verizon response to Sprint-Verizon 1-24 (Tab 1).

1 **Q. If Verizon's plan is implemented, will there be ample space for collocators who**
2 **desire to remain in the office?**

3 A: This is unknown at the present time, but it is highly unlikely that ample space will be
4 available for all collocators. The whole plan contradicts FCC rules that dictate the
5 assignment of space.²⁶ The plan materially increases the CLECs' costs and Sprint
6 anticipates that it will unreasonably reduce the total space available for physical
7 collocation. Verizon has listed the offices and whether or not there is separate space
8 for CLECs.²⁷ But there is no detail available as to whether it is space for one rack, or
9 whether all CLECs may be accommodated. Even if every CLEC could comfortably
10 move to separate space at no cost or inconvenience, the objective of preventive
11 security will only be marginally accomplished.

12

13 **Q: Isn't the FCC addressing telecommunications homeland security issues?**

14 A. Yes. Tab 3 is an excerpt from the FCC's website, www.fcc.gov/hspc/, regarding the
15 FCC's Homeland Security Policy Council ("HCPC"). The mission of the HCPC is to
16 "[a]ssist the Commission in evaluating and strengthening measures for protecting
17 U.S. Telecommunications, broadcast and other communications infrastructure and

²⁶ 47C.F.R. 51.323 (f)(7)(A-D). An incumbent LEC must assign collocation space to requesting carriers in a just, reasonable, and nondiscriminatory manner. An incumbent LEC must allow each carrier requesting physical collocation to submit space preferences prior to assigning physical collocation space to that carrier. At a minimum, an incumbent LEC's space assignment policies and practices must meet the following principles: (A) An incumbent LEC's space assignment policies and practices must not materially increase a requesting carrier's collocation costs. (B) An incumbent LEC's space assignment policies and practices must not materially delay a requesting carrier occupation and use of the incumbent LEC's premises. (C) An incumbent LEC must not assign physical collocation space that will impair the quality of service or impose other limitations on the service a requesting carrier wishes to offer. (D) An incumbent LEC's space assignment policies and practices must not reduce unreasonably the total space available for physical collocation or preclude unreasonably physical collocation within the incumbent's premises. *Id.*

²⁷ Verizon response to Qwest 1-11 (Tab 1).

1 facilities from further terrorist attacks.” A key HCPC policy initiative is to “[p]artner
2 with federal, state and local entities and with the industry to ensure network
3 protection and reliability.” The FCC also re-chartered the Network Reliability and
4 Interoperability Council (“NRIC”) on January 7, 2002 “to focus on lessons learned
5 and existing vulnerabilities.”
6

7 **Q: What is Sprint asking the Department to do?**

8 A: The Department should disregard Verizon’s testimony as not pertinent to the issue of
9 overall network security and interdependence of carriers. Specifically, the
10 Department should reject Verizon’s proposed collocation security measures. The
11 Department should also reject Verizon’s attempt to impose the costs of such measures
12 on CLECs. The Department should instead partner with the FCC to address
13 collocation security through the federal/state Joint Board or defer to the findings and
14 results of the FCC’s initiatives on this topic, which should provide a consistent
15 national policy for network security. Alternatively, if the Department decides to
16 proceed with this investigation and not wait for the FCC to address these issues, then
17 it could convene an industry task force to develop recommendations in response to
18 the issues under investigation in this Docket.
19

20 **Q: Does this conclude your testimony?**

21 A: Yes.